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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,970	04/13/2004	George A. Georgiou	2510	3353
28004 SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100	7590 09/26/2008			
EXAMINER				
HALIYUR, VENKATESH N				
ART UNIT		PAPER NUMBER		
2619				
MAIL DATE		DELIVERY MODE		
09/26/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/822,970

Applicant(s)

GEORGIU, GEORGE A.

Examiner

VENKATESH HALIYUR

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) -121 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request filed on 09/04/2008 for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. However a new ground(s) of rejection has been made in this office action in view of Pelaez et al, Bondy et al and a newly found Chow et al reference. Rejection follows.

2. Claims 1-21 is pending in the application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelaez et al [US Pat: 7,003,280] and Bondy et al. [US Pat: 7,006,508] further in view of Chow et al [US Pub: 2003/00534334].

Regarding claims 1-2,8-9, Pelaez et al in the invention of "Method and System for Processing Adjustments to the Type and Quality of Multimedia Communication Sessions" disclosed a comprehensive signaling node (**IMS 20, Fig 1, col 5, lines 7-20**), comprising: a signaling interface adapted for transmitting and receiving signaling communications (**col 4, lines 6-12**); a storage system (**HSS, item 34 of Fig 1**) configured to store a Media Gateway Controller routine (**MGCF, item 26 of Fig 1**), to store a Session Initiation Protocol routine (**SIP**), to store a H.323 routine (**col 4, lines 65-67**), to store a Session Border Controller (**BGCF, item 28 of Fig 1**) routine, to store Push-to-talk routine (**col 3, lines 15-65**) and to store a Wide Area Network (**wire line network, item 52 of Fig 1, col 4, lines 22-49**) compression routine (**col 5, lines 44-48**) and a processing system (**MRFP/ CSCF/MRFC, items 30/22/32 of Fig 1**) in communication with the signaling interface and the storage system (**col 4, lines 1-21**), with the processing system being configured to receive a signaling communication through the signaling interface, process the signaling communication with the MGC routine if appropriate, process the signaling communication with the SIP routine if appropriate (**col 5, lines 7-17**), process the signaling communication with the SBC routine if appropriate, process the signaling communication with the PTT routine if appropriate, process the signaling communication with the WAN compression routine if appropriate (**col 5, lines 44-67, col 7, lines 13-60**) and but fails to disclose performing the configuration operation of the configuration command, wherein the configuration

operation enables or disables the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and to store a Communication Assistance for Law Enforcement routine (**CALEA**) and process the signaling communication with the CALE routine if appropriate. However, Bondy et al in the invention of "Communication Network with a Collection Gateway and Method for Providing Surveillance Services" disclosed the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables the one or more specified signaling routines (**activation/deactivation of data streams**), processing the signaling communication with the H.323 routine if appropriate and further disclosed CALEA feature server (**items 26 of Fig 1**) that stores the program (routines) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces(**col 3, lines 55-67, col 4, lines 1-67, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine if appropriate. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have

been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of processing PTT routines in the signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 3-4,10-11, Pelaez et al disclosed that the comprehensive signaling node further comprising an operator interface in communication with the processing system, and wherein the processing system is configured to receive the configuration command (**activation, col 8, lines 14-39**) through the operator interface and with the storage system being further configured to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65, col 4, lines 1-21**), the WAN compression routine (**col 5, lines 44-67, col 7, lines 13-60**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the program (**routines**) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA

routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of processing PTT routines in the signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide configurability of CALE functionality for enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 5-7,12-14, Pelaez et al disclosed the comprehensive signaling node further comprising provisioning and configuration capability to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65**), the WAN compression routine, (**col 4, lines 1-21, col 5, lines 8-17, col 7, lines 13-60**) and with the processing system being further configured to receive a report Command and generate and transmit a report including operational data specified in the report command and to store

a billing system and with the processing system being further configured to perform billing operations for the MGC routine, the SIP routine, the SBC routine, the PTT routine, the WAN compression routine (**col 5, lines 18-43**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the H.323 routine program and process CALEA communication functions (**routines**) pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of processing PTT routines in the comprehensive signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide reporting and

billing capability to CALE functionality for enhanced surveillance and billing capability for communication over packet based and non-packet based networks.

Regarding claims 15-16, Pelaez et al disclosed a computer-readable medium having instructions stored thereon for operating a comprehensive signaling node, wherein the instructions, when executed by a processing system, direct the processing system (**IMS 20, Fig 1, col 5, lines 7-20, col 6, lines 20-30**): to receive a signaling interface adapted for transmitting and receiving signaling communications (**col 4, lines 6-12**); a storage system (**HSS, item 34 of Fig 1**) configured to store a Media Gateway Controller routine (**MGCF, item 26 of Fig 1**), to store a Session Initiation Protocol routine (**SIP**), to store a H.323 routine (**col 4, lines 65-67**), to store a Session Border Controller (**BGCF, item 28 of Fig 1**) routine, to store Push-to-talk routine (**col 3, lines 15-65**) and to store a Wide Area Network (**wire line network, item 52 of Fig 1, col 4, lines 22-49**) compression routine (**col 5, lines 44-48**) and a processing system (**MRFP/CSCF/MRFC, items 30/22/32 of Fig 1**) in communication with the signaling interface and the storage system (**col 4, lines 1-21**), with the processing system being configured to receive a signaling communication through the signaling interface, process the signaling communication with the MGC routine if appropriate, process the signaling communication with the SIP routine if appropriate (**col 5, lines 7-17**), process the signaling communication with the PTT routine if appropriate (**col 3, lines 15-65**), process the signaling communication with the SBC routine if appropriate, process the signaling

communication with the WAN compression routine if appropriate (**col 5, lines 44-67, col 7, lines 13-60**) and a storage system (**items 22,34,36 of Fig 1**) that stores the instructions, but fails disclose the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and to store a Communication Assistance for Law Enforcement routine (**CALEA**) and process the signaling communication with the CALE routine if appropriate. However, Bondy et al disclosed the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables (**activation/deactivation of data streams**) the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and further disclosed CALEA feature server (**items 26 of Fig 1**) that stores the program (routines) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 1-67, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine if appropriate. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the

signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of processing PTT routines in the signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 17-18, Pelaez et al disclosed instructions further comprising an operator interface in communication with the processing system, and wherein the processing system is configured to receive the configuration command (**activation, col 8, lines 14-39**) through the operator interface and with the storage system being further configured to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 4, lines 1-21, col 3, lines 15-65**), the WAN compression routine (**col 5, lines 44-67, col 7, lines 13-60**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the , the H.323 routine and process CALEA communication functions (**routines**) pertaining to a multimedia client or a subscriber over signaling

interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of processing PTT routines in the signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide configurability of CALE functionality for enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 19-21, Pelaez et al disclosed that instructions further comprising provisioning and configuration capability to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65**), the WAN compression routine, (**col 4, lines 1-21, col 5, lines 8-17,**

col 7, lines 13-60) and with the processing system being further configured to receive a report Command and generate and transmit a report including operational data specified in the report command and to store a billing system and with the processing system being further configured to perform billing operations for the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65**), the WAN compression routine (**col 5, lines 18-43**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the H.323 routine and process CALEA communication functions program (**routines**) pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. Both Pelaez et al and Bondy et al fail to explicitly disclose processing of PTT routine by the signaling node. However, Chow et al disclosed a method for processing push-to-talk (PTT) routines by the gateway router MR (**IPP2T/PTT service, para 0122, 0128-0130, Figs 3-4**). Therefore it would have been obvious for one of the ordinary skill in the art at the time the invention was made to use the method of processing PTT routines by the signaling node as taught by Chow et al in the system of Pelaez et al as modified by Bondy et al to include the functionality of

processing PTT routines in the signaling node. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide reporting and billing capability to CALE functionality for enhanced surveillance capability for communication over packet based and non-packet based networks.

Response to Arguments

5. Applicant's argument, see remarks filed on 09/04/2008 with respect to the rejection(s) of claim(s) 1-21 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Pelaez, Bondy and a newly found Chow et al reference.

With respect to applicant's argument for claims 1,8,15 that Pelaez fails to disclose the limitation of multiple processing routines on a single platform for the comprehensive signaling node, however the examiner respectfully disagrees and points applicant's to col 5, lines 7-67 where Pelaez disclosed multiple processing of multimedia sessions serviced by the CSCF signaling entity (item 22 in Fig 1).

With respect to applicant's argument for claims 1,8,15 that Pelaez fails to disclose the limitation of processing Push-to-Talk routine, however the examiner points applicant's to col 3, lines 15-65, Fig 1, where Pelaez et al disclosed one of the multiple

functions processed by the CSCF signaling entity is PTT but fails to explicitly disclose further processing details of PTT signaling functions which is well known in the art.

Conclusion

6. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached @ (571)-272-7884. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/Venkatesh Haliyur/

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Examiner, Art Unit 2619

/Edan Orgad/

Supervisory Patent Examiner, Art Unit 2619